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Date _____ Hour _____

English 10: AoW #12 - 2014

Directions: Mark the article to demonstrate close, active reading. Record your thoughts as you read by noting comments, questions, areas of confusion, connections, etc.

CCSS.ELA-LITERACY.RI.9-10.6

Learning Target: Determine an author's point of view or purpose in a text and analyze how an author uses rhetoric to advance that point of view or purpose.

(Rhetoric: the art of effective or persuasive speaking or writing)

nytimes.com

It Wasn't Just the Chokehold

Eric Garner, Daniel Pantaleo and Lethal Police Tactics

by The Editorial Board

Dec. 4, 2014

One route to justice for Eric Garner was blocked on Wednesday, by a Staten Island grand jury's confounding refusal to see anything potentially criminal in the police assault that killed him.

But the quest will continue. The fury that has prompted thousands to protest peacefully across New York City, and the swift promise by the Justice Department of a thorough investigation, may help ensure a just resolution to this tragedy. Mayor Bill de Blasio and Police Commissioner William Bratton, too, have vowed that necessary changes will come from Mr. Garner's death, promising that the Police Department will respond and improve itself, and redouble efforts to patrol communities in fairness and safety.

But among the many needed reforms, there is one simple area that risks being overlooked. Besides the banned chokehold used by Officer Daniel Pantaleo, who brought Mr. Garner down, throwing a beefy arm around his neck, there was lethal danger in the way Mr. Garner was subdued — on his stomach, with a pile of cops on his back.

This breaks a basic rule of safe arrests, especially for people who, like Mr. Garner, are overweight and have medical problems like asthma. When the New York medical examiner's

office ruled Mr. Garner's death a homicide, it cited "compression of neck (choke hold), compression of chest and prone positioning during physical restraint by police."

As early as 1995, a Department of Justice bulletin on "positional asphyxia" quoted the New York Police Department's guidelines on preventing deaths in custody. "As soon as the subject is handcuffed, *get him off his stomach*. Turn him on his side or place him in a seated position."

As Michael Baden, a former chief medical examiner of New York City, told The Times: "Obese people especially, lying face down, prone, are unable to breathe when enough pressure is put on their back. The pressure prevents the diaphragm from going up and down, and he can't inhale and exhale."

Which is exactly what Mr. Garner was trying to tell the officers who were on top of him.

Mr. Garner's death recalls a similar tragedy involving a less familiar name: Robert Ethan Saylor, a 26-year-old man with Down syndrome who was killed last year in a struggle with three off-duty county sheriff's deputies at a movie theater in Frederick County, Md. Mr. Saylor was overweight. The officers who killed him were just as inept as Officer Pantaleo and his gang, though with one key difference: When they realized that Mr. Saylor was in distress, they tried to save him. Still, their efforts came too late, because mere moments in a facedown arrest can be deadly.

The Garner killing must lead to major changes in policy, particularly in the use of "broken windows" policing — a strategy in which Officer Pantaleo specialized, according to a report in September by WNYC, which found that he had made hundreds of arrests since joining the force in 2007, leading to at least 259 criminal cases, all but a fraction of those involving petty offenses. The department must find a better way to keep communities safe than aggressively hounding the sellers of loose cigarettes.

And while defenders of the police like to point to thousands of nonfatal misdemeanor arrests as evidence that officers are acting in a way that is reasonable and safe, there can never be a justification for any lethal assault on an unarmed man, no justification for brutality.

The outrage in New York, echoed by anguished protesters in Ferguson, Mo., and in Cleveland, where the Justice Department has found a pattern of excessive force by the police, is based on a genuine fear of aggressive, abusive cops.

The results of such abuse can be seen in the final, quiet minutes of the horrifying video of the Garner assault. This is well after the chokehold, when Mr. Garner lies on the ground as officers

and paramedics — who were later disciplined for their behavior — ignore him and bystanders ask: Why is no one giving him CPR?

This was the point where Mr. Garner was dying, the victim of Officer Pantaleo, but also of bad policy, poor training and heedlessness of the basics of anatomy and breathing.

Author's Purpose:

Intended Audience:

Author's Point of View on the Subject:

Analyze the rhetoric of The Editorial Board. Which words persuasively impact the reader? Is the editorial effective? Explain.